

KSD_Mitchell_Chambers

From: Glickstein, Karen R. (Kansas City) <Karen.Glickstein@jacksonlewis.com>
Sent: Tuesday, December 10, 2019 4:00 PM
To: KSD_Mitchell_Chambers
Cc: Roe, Camille L. (Kansas City); rodshaewatkins@gmail.com
Subject: RE: Watkins v. Correct Care Solutions; Case No. 2:19-cv-02114-KHV-ADM

We are sorry to bother you but we are again seeking guidance with how to proceed with regard to the proposed pretrial order in this case. We have sent emails to Ms. Watkins twice since the court issued its updated scheduling order seeking her input on the proposed order. The first email was sent to her on Nov. 27 (the day before Thanksgiving) and another this past Monday, Dec. 9. We have yet to hear back from Ms. Watkins despite the fact that we are to file the joint proposal on Friday, Dec. 13.

Do you want us to resubmit the proposed order we previously provided to you before the original pretrial conference, or does the court still have a copy of that order?

Please advise as to how the court would like us to handle. Thank you for your courtesies.

Karen R. Glickstein

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From: KSD_Mitchell_Chambers <KSD_Mitchell_Chambers@ksd.uscourts.gov>
Sent: Wednesday, November 6, 2019 3:29 PM
To: Glickstein, Karen R. (Kansas City) <Karen.Glickstein@jacksonlewis.com>
Cc: Roe, Camille L. (Kansas City) <Camille.Roe@jacksonlewis.com>; rodshaewatkins@gmail.com
Subject: RE: Watkins v. Correct Care Solutions; Case No. 2:19-cv-02114-KHV-ADM

Ms. Glickstein,

Judge Mitchell requests that you go ahead and submit whatever you have come up with without the input from Ms. Watkins.

Thank you,

Heather Tildes
Courtroom Deputy to Magistrate Judge Mitchell
United States District Court
490 U.S. Courthouse
Topeka, Kansas 66683
(785) 338-5485

From: Glickstein, Karen R. (Kansas City) <Karen.Glickstein@jacksonlewis.com>
Sent: Wednesday, November 06, 2019 1:44 PM
To: KSD_Mitchell_Chambers <KSD_Mitchell_Chambers@ksd.uscourts.gov>
Cc: Roe, Camille L. (Kansas City) <Camille.Roe@jacksonlewis.com>; rodshaewatkins@gmail.com
Subject: RE: Watkins v. Correct Care Solutions; Case No. 2:19-cv-02114-KHV-ADM

To Chambers Staff:

We are seeking guidance from you again. We want to be sure we comply with the court's order to file a proposed pretrial order by tomorrow, but also want to let you know that we still have not heard anything from Ms. Watkins. In addition to the attempts to contact Ms. Watkins which we noted below, we sent an email to her on Monday, Nov. 4, immediately before we sent the email below to you, again attaching the portions of the pretrial order we had drafted and asking her to contact us. This email again contained Ms. Roe's office and cell phone numbers. Later on Monday, Nov. 4, we forwarded via email a copy of the court's text only order (issued at about 4:39 pm) so that Ms. Watkins would not have to wait for the copy of the order to arrive by mail. We asked her to contact us by close of business yesterday (Tuesday, Nov. 5) with her portions of the order and Ms. Roe again provided her contact information (cell phone and office). To date, we have not received any response.

Ms. Roe and I will both be out of the office this afternoon for our firm sponsored annual symposium. We do not believe we will be in a position to submit a joint proposal to the court tomorrow as we still have not received any information from Ms. Watkins as to her factual or legal contentions. Please advise as to whether you would like us to submit something on our own. We are also considering filing an updated motion to dismiss for failure to prosecute to supplement the information contained in the motion which is currently pending.

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From: KSD_Mitchell_Chambers <KSD_Mitchell_Chambers@ksd.uscourts.gov>
Sent: Tuesday, November 5, 2019 9:47 AM
To: Glickstein, Karen R. (Kansas City) <Karen.Glickstein@jacksonlewis.com>
Cc: Roe, Camille L. (Kansas City) <Camille.Roe@jacksonlewis.com>; rodshaewatkins@gmail.com
Subject: RE: Watkins v. Correct Care Solutions; Case No. 2:19-cv-02114-KHV-ADM

In accordance with the order entered by Judge Mitchell yesterday, a copy of which is being sent to Ms. Watkins via mail, the court expects Ms. Watkins to participate in drafting the proposed pretrial order. As indicated in the order, the proposed pretrial order must be a joint effort from the parties who have an equal obligation to cooperate fully in its creation.

Thank you,

Heather Tildes
Courtroom Deputy to Magistrate Judge Mitchell
United States District Court
490 U.S. Courthouse

Topeka, Kansas 66683
(785) 338-5485

From: Glickstein, Karen R. (Kansas City) <Karen.Glickstein@jacksonlewis.com>
Sent: Monday, November 04, 2019 1:36 PM
To: KSD_Mitchell_Chambers <KSD_Mitchell_Chambers@ksd.uscourts.gov>
Cc: Roe, Camille L. (Kansas City) <Camille.Roe@jacksonlewis.com>; rodshaewatkins@gmail.com
Subject: Watkins v. Correct Care Solutions; Case No. 2:19-cv-02114-KHV-ADM

To the Chambers of Judge Mitchell:

We are writing to seek guidance with regard to the filing of the pretrial order in this case, which is due to be submitted tomorrow, Tuesday, Nov. 5. We have attempted to work with pro se plaintiff in this case to prepare the pretrial order. We sent her a draft of the proposed pretrial order on October 28, with all portions of the document filled out (with the exception of Plaintiff's factual and legal contentions and Plaintiff's damages), including some proposed stipulations we have suggested. In that email we explained the process and noted that the court's rules require the parties to work jointly to complete the document. We also noted that once we had her factual and legal contentions, we would put in our contentions, responding to whatever legal theories and facts she alleges. We asked that she get back to us by close of business Oct. 30 with her input. We followed up with another email on October 31. On Friday, Nov. 1, after still receiving no response from Plaintiff, Ms. Roe contacted Ms. Watkins by telephone explaining, again, that we needed her assistance in putting together the document. Ms. Watkins indicated to Ms. Roe that she needed to go through her emails. Ms. Roe then followed up with another email to Ms. Watkins, again attaching the draft and providing her work and cell numbers if Ms. Watkins had questions. To date, we have heard nothing back from Ms. Watkins. We have sent another email today.

Mindful of the court's direction that the parties submit a joint order, and that we are not to submit separate documents, we are seeking guidance from the court as to how we should proceed. Would it be acceptable for us to submit what we have prepared to date, which does not include any information regarding factual or legal contentions—or damages? We are hesitant to fill in our factual allegations and legal contentions as we are not certain exactly which claims Plaintiff may intend to pursue. If, however, the court would like us to submit something with what we believe our factual and legal contentions to be, based on the allegations in the Complaint and the information we obtained at her deposition, we can do that, although we would like to reserve our right to modify what we submit in the event Plaintiff submits something that we have not anticipated (and understanding that we are not conceding or admitting that she should be able to proceed with any of the claims set forth in the Complaint).

Please let us know if there is any guidance you can provide.

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